REMARKS:

Claims 1-8 and 10-12 are in the case and presented for consideration.

The claims have been amended to more precisely define and unify the invention in view of the Examiner's Restriction Requirement and the improper "use" claims have been canceled.

In order to fully comply with the Restriction Requirement, however, the Applicants elect the product claims of Group I containing claims 1-8 and retain the method claims 10-12 subject to the possible allowance of claim 1 from which each method claim now depends and thus further limits, and subject to the filing of a divisional application coving any non-elected invention disclosed in the subject application.

This restriction is also respectfully traversed because the method claims describe a method for polymer preparation which further limits claim 1.

Turning to the species restriction, claim 9 that was directed to the monomer structure has been canceled and Applicants elect claims drawn to the polymers, subject only to the filing of a divisional application coving any non-elected invention and any non-elected species disclosed in the subject application.

In amended claim 4 the symbol X is now formulated concretely as being 6-aminohexanoic acid or 4-aminobenzoic acid or β-alanine or GlyGly or GlyPhe or

GlyPheGly or GlyLeuGly or GlyPheLeuGly or Gly-DL-PheLeuGly or GlyLeuPheGly. The more generic "amino acid" or "oligopeptide" has been canceled.

Claim 1 has been amended to conform to the election and amendments have been made to the remaining claims be better define the invention. The specification has been corrected to conform to the amended claims as well.

The invention as now claimed is also not believed to be anticipated or obvious from International Patent Application Publication WO 99/30727 to Greenwald et al. (Greenwald). The claims have been amended to better define the invention and are all believed to be patentably distinct from Greenwald for the following reasons.

Greenwald is based on poly(ethylene glycol)s (PEGs) or methoxy-poly(ethylene glycol)s (mPEGs) only. These polymers are exactly defined in Greenwald. It is known that hydrophilicity of PEGs is significantly lower in comparison with HPMA copolymers which serve as a basis of the claimed invention. The physico-chemical properties of PEG and mPEG polymers as solubility in different solvents, interactions with polyanions and other biological components are significantly different from HPMA copolymers. The mPEG or PEG polymers can bind only one or two bioactive molecules at the end of polymer chain. In this case it is not possible to introduce the reactive groups along the PEG polymer chain. Using the claimed product and procedure it is very easy to obtain HPMA copolymers with reactive groups along the polymer chain and to bind more than two bioactive molecules to single polymer chain.

Greenwald defines (see claim 1 of WO 99/30727) the compound structure where part of the structure R11 is defined as a substantially non-antigenic polymer. These non-antigenic polymers are listed in patent wording on page 17 only, among them is mentioned the hydroxypropyl-methacrylamide (HPMA) and copolymers thereof. From this general description of HPMA copolymers it is not clear which monomer, either N-(2-hydroxypropyl)methacrylamide or N-(3-hydroxypropyl)methacrylamide, was considered by the reference. The physico-chemical properties of the polymers prepared from these monomers are significantly different.

Neither HPMA polymers are disclosed or suggested by Greenwald. The Greenwald does not contain any description of the synthesis of HPMA monomers, reactive HPMA copolymers or their possible structures in its examples. There is no description on which way the reactive groups are incorporated into HPMA copolymers and how the vicinity of reactive groups influence their resulting reactivity in Greenwald.

Accordingly, the application and claims are believed to be in condition for allowance, and favorable action is respectfully requested. No new matter has been added.

The Examiner is respectfully invited to contact the undersigned at the number below, to advance the application to allowance.

Entry of this amendment and favorable action is respectfully requested.

Respectfully submitted,
/PETER C MICHALOS/
Peter C. Michalos
Reg. No. 28,643
Attorney for Applicants
(845) 359-7700

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NOTARO & MICHALOS P.C.
100 Dutch Hill Road, Suite 110
Orangeburg, New York 10962-2100

Customer No. 21706

PCM/pae